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PATENT
Customer No. 22,852
Attorney Docket No. 07414.0009-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
| Jessica BARZILAI et al. |) | Group Art Unit: 1743 |
| Application No.: 10/785,082 |) | Examiner: Unassigned |
| Filed: February 25, 2004 |) | |
| For: APPARATUS AND METHOD FOR |) | Confirmation No.: 8544 |
| TRANSPORTING SAMPLE WELL |) | |
| TRAYS |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b) or (c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

However, should the Patent Office issue the first Office Action on the merits before this Information Disclosure Statement is filed, Applicants respectfully request that this Information Disclosure Statement be considered as being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. For this purpose, this Information Disclosure Statement includes a certification, as specified by Section 1.97(e), that: each document listed in this Information Disclosure Statement was first

cited in a communication from the Japanese Patent Office in a counterpart Japanese application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication (i.e., July 1, 2004).

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language version of the communication from the Japanese Patent Office citing these documents and setting forth the relevance thereof is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 27, 2004

By:



Troy E. Grabow
Reg. No. 43,440

INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

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| Atty. Docket No. | 07414.0009-01 | Appln. No. | 10/785,082 |
| Applicant | Jessica BARZILAI et al. | | |
| Filing Date | February 25, 2004 | Group: | 1743 |



U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|------|-------|-----------|----------------------------|
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FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|------------------|------------------------|-----------------------|------------------|------------------|------------------|-----------------------|
| _____ | 2004-104372 | 07/19/2004 | Japan | _____ | _____ | No |
| _____ | 9-510863 | 11/04/1997 | Japan | _____ | _____ | No |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| Examiner | /Samuel Siefke/ | Date Considered | 06/05/2009 |
| *Examiner: | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | |
| Form PTO 1449 | | Patent and Trademark Office - U.S. Department of Commerce | |